



United States Mission to the OSCE

Response to Head of Mission to Serbia and Montenegro, Maurizio Massari

As delivered by Political Counselor Katherine A. Brucker
to the Permanent Council, Vienna
April 7, 2005

Thank you, Mr. Chairman.

The United States warmly welcomes Ambassador Maurizio Massari back to the Permanent Council today. As usual, Ambassador, you have delivered a comprehensive, balanced, and fair report with which the United States fully concurs.

Before we get to the particulars of your report, Ambassador Massari, we would just like to congratulate you, your Mission, and authorities in Serbia and Montenegro for the highly constructive relationship you have developed. We are particularly struck by the level of partnership that characterizes interaction between your mission, the state union authorities, and the governments of both republics.

In many respects, the OSCE's involvement in Serbia and Montenegro is a model of how a post-conflict participating State can collaborate with an OSCE mission to help heal ethnic divides and support democratic and economic reforms.

The constructive role you played in southern Serbia last month to encourage ethnic Albanians to participate in the eight working groups of the reformed Coordination Body is just the latest example of how your office has helped to move thorny issues forward in Serbia and Montenegro. We commend you and your Mission for your efforts.

Mr. Chairman, the United States agrees with Ambassador Massari that overall trends in Serbia and Montenegro remain positive, but serious challenges remain.

When Ambassador Massari appeared before this body in September of last year, not a single indicted war criminal from Serbia and Montenegro had been taken into custody in 2004. Over the past two months, with cooperation from Serbia and the Republika Srpska, at least ten fugitive indictees have arrived in The Hague, including former generals Lukic and Lazarevic.

While this progress is indeed welcome, we note, as Ambassador Massari has done in his report, that Serbia and Montenegro has not fully met its obligations for cooperation with the International Criminal Tribunal for the former Yugoslavia. All remaining indictees, including in particular Mladic and Pavkovic), must be transferred to The Hague to face justice.

We applaud the intense, reform-oriented legislative activity at both the state union and republic levels that has taken place over the past six months, but call on the authorities, as we did last September, to improve implementation, particularly with regard to anti-corruption legislation. Great laws are meaningless if they are not put into practice in an effective way.

The Serbian Parliament should move swiftly to pass the draft Criminal Code and the Law on Witness Protection, which are still pending. Likewise, Serbia should develop key pieces of reform legislation, particularly laws on the Ombudsperson and on non-governmental organizations, which are still missing.

Police reform very appropriately remains one of the Mission's key priorities; police accountability and the politicization of the police services remain serious concerns. We agree that the absence of framework legislation on police services in both republics is a chronic problem that needs to be addressed.

Over the past six months, measurable progress has been made on promoting inter-ethnic relations in Vojvodina and in working to combat human trafficking in both republics. We urge the parliaments in Serbia and Montenegro, however, to complete legislation on the protection of national minorities.

Ambassador Massari, we are pleased that your Mission continues to address the crucial need for judicial independence, increased public participation in decision-making, and enhanced transparency regarding parliamentary proceedings. We call on Serbia and Montenegro to make efforts to address these issues immediately.

Finally, Ambassador Massari, we would like to commend you for the productive interaction your Mission has established with civil society and non-governmental organizations. We hope these groups, as well as the authorities in Belgrade and Podgorica, will take even fuller advantage of the strong relationships they have established with your Mission to promote further reform.

Thank you, Mr. Chairman.